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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/621,414

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Avinash Chidambaram

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02/19/2008

SMART & BIGGAR

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CANADA

EXAMINER

THERIAULT, STEVEN B

ART UNIT

PAPER NUMBER

2179

MAIL DATE

DELIVERY MODE

02/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<b>Application No.</b> 10/621,414	<b>Applicant(s)</b> CHIDAMBARAM ET AL.	
	<b>Examiner</b> STEVEN B. THERIAULT	<b>Art Unit</b> 2179	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 28 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_.  
 Claim(s) objected to: \_\_\_\_\_.  
 Claim(s) rejected: \_\_\_\_\_.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12. ☐ Note the attached Information *Disclosure Statement(s)*. (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13. ☐ Other: \_\_\_\_\_.

/Weilun Lo/  
 Supervisory Patent Examiner, Art Unit 2179

Continuation of 11. does NOT place the application in condition for allowance because: The applicant's request for reconsideration has been carefully reviewed and is not persuasive for the following reasons: The applicant argues that the teachings of Goodrich and Siemens do not teach the features of claim 1. Notably, the applicant argues that Goodrich does not teach a sequencing of power supplies and that Siemens has nothing to do with sequencing of power circuits. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.1986). The rejection of claim 1 is based on the teachings of both Goodrich and Siemens. As outlined on page 3 of the final office action the Examiner clearly indicates Goodrich teaches receiving and displaying topology information for an electrical system. The Examiner states that Goodrich does not teach a specific example of sequencing power supplies and relies on the interpretation of Siemens test circuit where a user can select which tests to perform to sequence power supplies in combination with Goodrich to teach all of the limitations of claim 1. It is important to note the broad language of claim 1, as the claim language of limitation "C" = "receiving user input information to determine sequencing", as receiving input information can be performed in several ways on an interface and is similar to the user selecting fault sequences within the teachings of Siemens page 4, after all the user specifying information is a process of receiving user input to determine a sequence. The claim language of limitation "D" recites: "displaying on a graphical device a graphical display representing the sequencing, which is similar to the teachings of Siemens of presenting to the user an ordered list of overloaded elements and switching the loads on the interface and a process of operating and viewing the results which the examiner considers meeting the claim, as the user must see the graphical display to view the switching results. A graphical display representing the sequence can be a list, text, an ordered set, etc and in broad terms can be anything that relates to the user information that represents the sequencing. The claim language for limitation "E" recites: producing configuration information for the apparatus consistent with the topology and sequencing. Producing configuration information is interpreted as similar in structure where Siemens teaches providing configuration information for the dispatcher's workflow shown on page 2. While the applicant may be reading limitations from the specification into the claim the examiner refers to MPEP 2111 for claim interpretation and in the broadest reasonable interpretation of claim 1, Goodrich in view of Siemens teaches the structure of the claim. It is noted that the applicant shows a specific arrangement for the graphical interface depicted in figures 2-11 that are not specifically recited in the claims and such as dragging and dropping displayed icons shown in a specific arrangement to convey a sequence on a bar with arrows reflecting the sequence of operations. These features would be something new for the examiner to search and consider and could possibly be added to clarify the invention to reflect what is shown in the drawings.